

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
IRONWOOD PHARMACEUTICALS,)	
INC.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 08-1932 (RMC)
)	
HON. DAVID J. KAPPOS, Undersecretary)	
of Commerce for Intellectual Property &)	
Director of the United States Patent &)	
Trademark Office,)	
)	
Defendant.)	
_____)	

ORDER

On January 29, 2010, the Court ordered the parties to show cause why the Court should not vacate Plaintiff's existing patent term calculation and remand this case to the United States Patent and Trademark Office for recalculation and adjustment of the disputed patent term in accordance with the decision of the United States Court of Appeals for the Federal Circuit in *Wyeth & Elan Pharma Int'l Ltd. v. Kappos*, No. 09-1120, 2010 WL 27184 (Fed. Cir. Jan. 7, 2010). *See* Dkt. # 9. Both parties responded that they agree with that course of action. *See* Dkt. ## 10 & 11. Accordingly, it is hereby

ORDERED that the Court's Order to Show Cause [Dkt. #9] is **DISCHARGED**; and it is

FURTHER ORDERED that Plaintiff's existing patent term calculation is **VACATED**; and it is

FURTHER ORDERED that this case is **REMANDED** to the United States Patent and Trademark Office for recalculation and adjustment of the disputed patent term in accordance with the decision of the United States Court of Appeals for the Federal Circuit in *Wyeth & Elan Pharma Int'l Ltd. v. Kappos*, No. 09-1120, 2010 WL 27184 (Fed. Cir. Jan. 7, 2010).

This case is closed. This is a final appealable order. *See* Fed. R. App. P. 4(a).

SO ORDERED.

Date: February 17, 2010

/s/
ROSEMARY M. COLLYER
United States District Judge